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APPLICATION NO.	Fil	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,815 10/30/2003		0/30/2003	Jayant D. Patel	038190/270421	1312
826	7590	11/02/2004		EXAMINER	
ALSTON &	& BIRD L	LP	BOCHNA, DAVID		
BANK OF A		PLAZA STREET, SUITE 400	ART UNIT	PAPER NUMBER	
CHARLOT		•	3679		
				DATE MAIL ED: 11/02/200	4

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)					
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Office Action Summary		10/696,815	PATEL ET AL.					
	omec Action Cummary	Examiner	Art Unit					
	The MAILING DATE of this commun	David E. Bochna	3679	addross				
Period fe		ncation appears on the cover	sheet with the correspondence of	audress				
THE - Exte after - If the - If NO - Failt Any	ORTENED STATUTORY PERIOD F MAILING DATE OF THIS COMMUN nsions of time may be available under the provisions SIX (6) MONTHS from the mailing date of this common the properties of the period for reply specified above is less than thirty (5) period for reply is specified above, the maximum starre to reply within the set or extended period for reply reply received by the Office later than three months are patent term adjustment. See 37 CFR 1.704(b).	ICATION. s of 37 CFR 1.136(a). In no event, howe nunication. 30) days, a reply within the statutory min latutory period will apply and will expire so will, by statute, cause the application to	ver, may a reply be timely filed imum of thirty (30) days will be considered tin SIX (6) MONTHS from the mailing date of this become ABANDONED (35 U.S.C. § 133).					
Status								
1) 又	Responsive to communication(s) file	ed on 05 August 2004.						
-	•	2b) This action is non-fina	al.					
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims							
5)⊠ 6)⊠ 7)⊠	Claim(s) 1-15 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  Claim(s) 9 and 10 is/are allowed.  Claim(s) 1,3,4 and 11-15 is/are rejected.  Claim(s) 2,5-8 is/are objected to.  Claim(s) are subject to restriction and/or election requirement.							
Applicat	ion Papers							
9)[	The specification is objected to by the	ne Examiner.						
10)	10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
	Applicant may not request that any obje	= , .	•					
11)	Replacement drawing sheet(s) including The oath or declaration is objected t	•	<b>.</b>	• •				
Priority	under 35 U.S.C. § 119							
a)	Acknowledgment is made of a claim  All b) Some * c) None of:  1. Certified copies of the priority  2. Certified copies of the priority  3. Copies of the certified copies  application from the Internation  See the attached detailed Office action	documents have been rece documents have been rece of the priority documents ha onal Bureau (PCT Rule 17.2	ived. ived in Application No ave been received in this Nation (a)).	nal Stage				
Attachmer								
	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (		Interview Summary (PTO-413) Paper No(s)/Mail Date					
3) 🔲 Info	ce of Draπsperson's Patent Drawing Review (i mation Disclosure Statement(s) (PTO-1449 o er No(s)/Mail Date	r PTO/SB/08) 5) 🔲	Notice of Informal Patent Application (F	PTO-152)				

#### **DETAILED ACTION**

### Claim Objections

- 1. Claims 11 and 13-15 are objected to because of the following informalities:
- 2. Claims 11 and 13-15 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 11 is a duplicate of claim 2, and claims 13-15 are duplicates of 4-6, respectively.

### Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. Claims 1, 3-4 and 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merkwacz.

In regard to claim 1, Merkwacz discloses a sleeve comprising:

A core 26 of the sleeve having an inner surface and an outer surface;

A first layer 28 bonded to the inner surface to the inner surface of the core; and

A second layer 22b bonded to the outer surface of the core wherein the second layer is longer than the core so as to extend beyond the core. However, Merkwacz does not specifically disclose that the second layer is a made from a material having a lower coefficient of friction than the first layer. However, it would have been obvious to one having ordinary skill in the art

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at the time the invention was made to make the second layer from a material having a lower coefficient of friction because the selection of a known material based upon its suitability for the intended use is a design consideration within the skill of the art. In re Leshin, 227 F.2d 197, 125 USPQ 416 (CCPA 1960).

In regard to claim 3, the first layer 28 and the second layer 22b are longer than the core, such that the first and second layer may be bonded together.

In regard to claim 4, further comprising a third layer 32 bonded to the second layer proximate a medial portion of the sleeve.

In regard to claim 12, the firs layer and the second layer are longer than the core, such that the first layer and the second layer may be bonded together beyond an end of the core.

## Response to Arguments

Applicant's arguments with respect to claims 1, 3-6 and 11-15 have been considered but 5. are moot in view of the new ground(s) of rejection.

#### Allowable Subject Matter

- 6. Claims 9-10 are allowed.
- Claims 2 and 5-8 are objected to as being dependent upon a rejected base claim, but 7. would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this 8. Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the 9. examiner should be directed to David Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

David Bochna

Primary Examiner

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October 28, 2004